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Address to the People of the Southern States.

At a large meeting of Southern members of both Houses of Congress, held at the Capitol on the evening of the 7th ultimo, the Hon. HOPKINS L. TURNER, of Tennessee, having been appointed Chairman at a previous meeting, took the Chair, and, on motion of the Hon. DAVID HUBBARD, of Alabama, the Hon. WILLIAM J. ALSTON, of Alabama, was appointed Secretary.

Whereupon, the Hon. A. P. BUTLER, of South Carolina, from the committee appointed at a preliminary meeting, reported an Address to the Southern people, recommending the establishment, at Washington City, of a newspaper, to be devoted to the support and defence of Southern interests; which was read, and with some slight modifications, adopted.

The following resolution was offered by the Hon. THOMAS L. CLINGMAN, of North Carolina, and unanimously adopted by the meeting.

*Resolved, unanimously.* That the committee, in publishing the Address, be instructed to give with it the names of the Senators and Representatives in Congress who concur in the proposition to establish the Southern Organ, as manifested by their subscriptions to the several copies of the plan in circulation, or who may hereafter authorize said committee to include their names.

*Virginia.*—Senators: Thomas G. Pratt, Virginia. Senators: R. M. T. Hunter, J. M. Mason. Representatives: J. A. Seldon, Thos. H. Averett, Paulus Powell, R. K. Meade, Alex. R. Holladay, Thos. S. Bocock, H. A. Edmundson, Jeremiah Morton.

*North Carolina.*—Senator: Willie B. Mangum. Representatives: T. L. Clingman, A. W. Venable, W. S. Ashe.

*South Carolina.*—Senators: A. P. Butler, F. H. Elmore. Representatives: John McQueen, Joseph A. Woodward, Daniel Wallace, Wm. F. Colcock, James L. Orr, Armistead Burt, Isaac E. Holmes.

*Georgia.*—Senators: John McP. Berrien, William C. Dawson. Representatives: Joseph W. Jackson, Alex. H. Stephens, Robert Toombs, H. A. Haralson, Allen F. Owen.

*Alabama.*—Senator: Jeremiah Clemens. Representatives: David Hubbard, F. W. Bowdon, S. W. Inge, W. J. Alston, S. W. Harris.

*Mississippi.*—Senator: Jefferson Davis. Representatives: W. S. Featherston, Jacob Thompson, A. G. Brown, W. W. Mc-Willie.

*Louisiana.*—Senators: S. U. Downs, Pierre Soule. Representatives: J. H. Harmanon, Emile La Sere, Isaac E. Morse.

*Arkansas.*—Senators: Solon Borland, W. Sebastian. Representative: William R. Johnson.

*Texas.*—Representatives: Vol. E. Howard, D. S. Kaufman.

*Missouri.*—Senator: D. R. Atchison. Representative: James S. Green.

*Kentucky.*—Representatives: R. H. Stanton, James L. Johnson.

*Tennessee.*—Senator: Hopkins L. Turner. Representatives: James H. Thomas, Frederick P. Stanton, C. H. Williams, John H. Savage.

*Florida.*—Senators: Jackson Morton, D. L. Yulee. Representative: E. Carrington Cabell.

And upon motion, the meeting adjourned.

HOPKINS L. TURNER, Chairman.

ATTEST: Wm J. ALSTON, Secretary.

THE ADDRESS

The committee to which was referred the duty of preparing an Address to the people of the slaveholding States upon the subject of a Southern Organ, to be established in the City of Washington, put forth the following:

FELLOW-CITIZENS: A number of Senators and Representatives in Congress from the Southern States of the Confederacy deeply impressed with a sense of the dangers which beset those States, have considered carefully our means of self-defence within the Union and the Constitution, and have come to the conclusion that it is highly important to establish in this city a paper, which, without reference to political party, shall be devoted to the rights and interests of the South, so far as they are involved in the questions growing out of African slavery. To establish and maintain such a paper, your support is necessary, and accordingly we address you on the subject.

In the contest now going on—the constitutional equality of fifteen States is put in question. Some sixteen hundred millions worth of negro property is involved directly, and indirectly, though not less surely, an incalculable amount of property in other forms. But to say this is to state less than half the doom that hangs over you. Your social forms and institutions—those separate the European and the African races into distinct classes, and assign to each a different sphere in society—are threatened with overthrow. Whether the negro is to occupy the same social rank with the white man, and enjoy equally the rights, privileges, and immunities of citizenship—in short, all the honors and dignities of society—is a question of greater moment than any mere question of property can be.

Such is the contest now going on—a contest in which public opinion, if not the prevailing, is destined to be a most prominent force; and yet, no organ of the united interest of those assailed has as yet been established, nor does there exist any paper which can be the common medium for an interchange of opinions amongst the Southern States. Public opinion, as it has been formed and directed by the combined influence of interest and prejudice, is the force which has been most potent against us in the war now going on against the institution of negro slavery; and yet we have taken no effectual means to make and maintain that issue with its own existence depends. Whoever will look to the history of this question, and to the circumstances under which we are now placed, must see that our position is one of imminent danger,

and one to be defended by all the means, moral and political, of which we can avail ourselves in the present emergency.

The warfare against African slavery commenced, as is known, with Great Britain, who, after having contributed mainly to its establishment in the New World, devoted her most earnest efforts, for purposes not yet fully explained, to its abolition in America. How earnestly this was done, so far as her own colonies were concerned, time has determined; and all comment upon this subject on our part would be entirely superfluous. It, however, her purpose was to reach and embarrass us on this subject, her efforts have not been without success. A common origin not been without success. A common origin not been without success. A common origin not been without success.

To mould the public opinion of all who speak the English language, have not been vain or fruitless. On the contrary, they have been deeply felt wherever the English language is spoken; and the more efficient and dangerous, because, as yet, the South has taken no steps to appear and plead at the bar of the world, and by which she has been summoned, and by which she has been tried already without a hearing. Secured by constitutional guaranties, and independent of all the world, so far as its domestic institutions were concerned, the South has reposed under the consciousness of right and independence, and forborne to plead at a bar which she knew had no jurisdiction over this particular subject, but which we have been theoretically right, but practically we have made a great mistake. All means, political, diplomatic, and literary, have been used to concentrate the public opinion, not only of the world at large, but of our own country, against us; and resting upon the undoubted truth that our domestic institutions were the subjects of no Government but our own local Governments, we have concerned no one but ourselves, we have been passive under these assaults, until a danger menaces us from every quarter.

A great party has grown up, and is increasing in the United States, which seems to think it a duty they owe to earth and heaven to make war on a domestic institution upon which are staked our property, our social organization, and our peace and safety. Sectional feelings have been invoked, and those who wield the power of this Government have been tempted almost, if not quite, beyond their power of resistance, to wage a war against our property, our rights, and our social system, which, if successfully prosecuted, must end in our destruction. Every inducement—the love of power, the desire to accomplish what is, with less truth than plausibility, called "reforms"—all are offered to tempt them to press upon those who are represented, and, in fact, seem to be an easy prey to the spoiler. Our equality under the Constitution is, in effect, denied; our social institutions are derided and contemned, and ourselves treated with contempt and scorn through all the avenues which have as yet been opened to the public opinion of the world. That these assaults should have had their effect is not surprising, when we remember that, as yet, we have offered no organized resistance to them, and opposed but little, except the isolated efforts of members of Congress, who have occasionally raised their voices against what they believe to be wrongs and injustice.

It is time that we should meet and maintain an issue, in which we find ourselves involved by those who make war upon us in regard to every interest that is peculiar to us, and which is not enjoyed in common with them, however guaranteed by solemn compact, and no matter how vitally involving our prosperity, happiness, and safety. It is time that we should take measures to defend ourselves against assaults which can end in nothing short of our destruction, if we oppose no resistance to them. Owing to accidental circumstances, and a want of knowledge of the true condition of things in the Southern States, the larger portion of the press and of the political literature of the world has been directed against us. The moral power of public opinion carries political strength along with it, and if against us, we must wrestle with it or fall. If, as we firmly believe, truth is with us, there is nothing to discourage us in such an effort.

The eventual strength of an opinion is to be measured, not by the number who may chance to entertain it, but by the truth which sustains it. We believe—nay, we know, that truth is with us, and therefore we should not shrink from the contest. We have too much staked upon it to shrink or to tremble—a property interest, in all its forms, of incalculable amount and value; the social organization, the equality, the liberty, nay, the existence of fourteen or fifteen States of the Confederacy—all rest upon the result of the struggle in which we are engaged. We must maintain the equality of our political position in the Union; we must maintain the dignity and respectability of our social position before the world; and must maintain and secure our liberty and rights, so far as our united efforts can protect them; and, if possible, we must effect all this within the pale of the Union, and by means known to the Constitution. The union of the South upon these vital interests is necessary, not only for the sake of the South, but perhaps for the sake of the Union. We have great interests exposed to the assaults, not only of the world at large, but of those who, constituting a majority, wield the power of our own confederated States. We must defend those interests by all legitimate means, or else perish either in or without the effort. To make successful defence, we must unite with each other upon one vital question, and make the most of our political strength. We must do more—we must go beyond our entrenchments, and meet even the more distant and indirect, but by no means harmless assaults, which are directed against us. We, too, can appeal to public opinion. Our assailants act upon theory, by their theory we can oppose theory. They reason upon an imaginary state of things, to this we may oppose truth and actual knowledge. To do this, however, we too must open avenues to the public mind; we, too, must have an

organ through which we can appeal to the world, and commune with each other. The want of such an organ, heretofore, has been perhaps one of the leading causes of our present condition.

There is no paper at the Seat of Government through which we can hear or be heard fairly and truly by the country. There is a paper here which makes the abolition of slavery its main and paramount end. There are other papers here which make the maintenance of political parties their supreme and controlling object, but none which consider the preservation of sixteen hundred millions of property, the equality and liberty of fourteen or fifteen States, the protection of the white man against African equality, as paramount over, or even equal to, the maintenance of some political organization which is to secure a President, who is an object of interest not because he will certainly rule, or perhaps ruin the South, but chiefly for the reason that he will possess and bestow office and spoils. The South has a peculiar position, and her important rights and interests are objects of continual assault from the majority; and the party press, dependent as it is upon that majority for its means of living, will always be found laboring to excuse the assaults, and to paralyze all efforts at resistance. How is it now? The abolition party can always be heard through its press at the Seat of Government, but through what organ or press at Washington can Southern men communicate with the world, or with each other, upon their own peculiar interests? So far from writing, or permitting anything to be written, which is calculated to defend the rights of the South, or state its case, the papers here are engaged in lulling the South into a false security, and in manufacturing there an artificial public sentiment, suitable for some Presidential platform, though at the expense of any and every interest we may possess, no matter how dear or how vital and momentous.

This state of things results from party obligations and a regard to party success. And they but subserve the ends of their establishment in consulting their own interests, and the advancement of the party to which they are pledged. You cannot look to them as sentinels over interests that are repugnant to the feelings of the majority of the self-sustaining party.

In the Federal Legislature the South has some voice and some votes; but over the public press, as it now stands at the Seat of Government, the North has a controlling influence. The press of this city takes its tone from that of the North. Even our Southern press is subjected, more or less, to the same influence. Our public men, yes, our southern men, owe their public standing and reputation too often to the commendation and praise of the Northern press. Southern newspapers republish from their respective party organs in this city, and in so doing, reproduce—unconsciously, doubtless, in most instances, of the wrong they do—the northern opinion in regard to public men and measures. How dangerous such a state of things must be to the fidelity of your representatives it is needless to say! They are but men, and it would be unwise to suppose that they are beyond the reach of temptations which influence the rest of mankind.

Fellow-citizens, it rests with ourselves to alter this state of things, so far as the South is concerned. We have vast interests, which we are bound, by many considerations, to defend with all the moral and political means in our power. One of the first steps to this great end is to establish a Southern Organ here, a paper through which we may commune with one another and the world at large. We do not propose to meddle with political parties as they now exist; we wish to enlist every southern man in a southern cause, and in defence of southern rights, be he Whig or be Democrat. We do not propose to disturb him, or to shake him in his party relations. All that we ask is, that he shall consider the constitutional rights of the South, which are involved in the great abolition movement, as paramount to all party and all other political considerations. And surely the time has come when all southern men should unite for the purpose of self-defence. Our relative power in the Legislature of the Union is diminishing with every census; the dangers which menace us are daily becoming greater; and the chief instrument in the assaults upon us is the public press, over which, owing to our supineness, the North exercises a controlling influence. So far as the South is concerned, we can change and reverse this state of things. It is not to be borne, that public sentiment at the South should be stifled or controlled by the party press.

Let us have a press of our own, as the North has, both here and at home—a press which shall be devoted to Southern rights, and animated by Southern feeling; which shall look to the North but the South for the tone which is to pervade it. Claiming our share of power in Federal Legislation, let us also claim our share of influence in the press of the country. Let us organize in every Southern town and county, so as to send this paper into every house in the land. Let us take, too, all the means necessary to maintain the paper by subscription, so as to increase its circulation, and promote the spread of knowledge and truth. Let every portion of the South furnish its full quota of talent and money to sustain a paper which ought to be supported by all, because it will be devoted to the interest of every Southern man. It will be the earnest effort of the committee who are charged with these arrangements, to procure editors of high talent and standing; and they will also see that the paper is conducted without opposition, and without reference to the political parties of the day. With these assurances, we feel justified in calling upon you, the people of the Southern States—to make the necessary efforts to establish and maintain the proposed paper.

A. P. BUTLER, JACKSON MORTON, R. TOOMBS, J. THOMPSON.

Mr. THOMAS DARCY MCGEE about to return to Ireland to resume the editorship of the Dublin Nation.

Senate Debate.

FRIDAY, JUNE 29, 1850.

Mr. DAVIS, of Mississippi, resumed and concluded as follows:

Mr. President: When the Senate adjourned yesterday I was about to offer some statements to the Senators in relation to the amendments proposed by the senator from Louisiana. That amendment is in accordance with a compromise which once gave peace to the country during a period of intense excitement, and resulted in a desire to have the Union from danger, with which it was thought to be seriously threatened. I cannot believe the danger was as imminent then as it is now. Then there were patriotic hearts in Congress from every section of the country that came to the rescue upon this great question. Does such patriotism exist in the present Congress as was found in that of 1850? Are there not those around me who will meet this question with the devoted patriotism which the old Senate had? It is a question which I believe will be met by the good of their country? If any other plan shall be presented which I believe would terminate this distracting controversy, and restore the fraternal unity which existed among our fathers, I would make whatever personal sacrifice such a plan would embrace. At an early stage of the present session I indicated my belief that the extension of the Missouri Compromise was the only basis upon which a settlement could be made, and all that has transpired from that day to this has served to confirm me in that opinion. I was among those who supported the raising of this committee—not that the bills then before the Senate should be combined, but with the hope that it would bring in a measure of adjustment, compromise, or settlement which would receive from mean approbation which I could not give those bills upon any other basis. Something would be presented to us upon which we could all unite has met a great and grievous disappointment. Though it is not my purpose now to detain the Senate by a general examination of the bill, I may be permitted to say that I have found in it a heterogeneous mass of provisions, which I see no reason to believe will be of any service to the country. It is a measure which I see no reason to believe will be of any service to the country. It is a measure which I see no reason to believe will be of any service to the country.

The strong, far-reaching arm, may govern to protect these tribes. In the new and even unsettled condition of California, it is to be feared the reverse would be the case, if the country were to be limited, that aggression would be followed by hostility, to end in their destruction. But, sir, there is another race with yet higher claim upon us, in the vicinity of the coast. We find that very position, which was by the treaty to have their rights of property in their mind to make that country their home. This could not be the case with those who a few months before had gone there merely to collect gold and return to the United States. There is another test: How many had taken their families with them?—that best guaranty of an intent to become permanent residents.

Mr. President, it comes, then, to this point: whether sojourning persons, traveling with no permanent interest or locality in the country—soldiers, sailors, or government employees, who chance to be present—are qualified to lay the foundations of a State, and decide on the institutions which shall prevail among generations yet unborn?

But, sir, there is something further to be offered to those on whom these considerations make no impression. Taking the population according to all the ordinary estimates, it was only about one-fifth of the population of California which took part in this proceeding, either to elect delegates or to ratify the constitution they formed. What then? Four-fifths of the Americans in the country, and Mexicans, to whom we are bound to extend special protection, had no connexion whatever with this convention. Are we still to be told that its proceedings embody the impression of the will of the people of California? These, Mr. President, are the facts which come to light upon an analyses of this remarkable proceeding, and these facts are such as not only apply to sustain in my opinion the amendment of the Senator from Louisiana, (Mr. SOULE,) but which would entirely justify us in treating this constitution as a nullity, and proceeding to the formation of a territorial government for the people who inhabit our western territory.

I am not one of those, Mr. President, who can be with any truth described as hostile to the territories. On the contrary, their interest has uniformly received my support. I am one of those who strove most strenuously at the last session of Congress in favor of giving those people a government. I am one of those who were willing then, as I am willing now, to admit them as a State, so soon as they come here regularly with proper qualifications, and ask for admission. But I am also one of those who claim a conformity with the precedents which have existed since the foundation of the government, and which are necessary to secure considerations of far higher importance than any which concern the ascendancy of a particular interest, or political party.

But, Mr. President, I find myself constantly wandering into considerations broader than it was my purpose to enter upon. I have said that this country south of 36 deg. 30 min. was separated by nature from the body of what is now called the State of California, and that it claims a political organization separate from the other. The basin of the Lake Tulare, lying immediately south of the parallel of 36 deg. 30 min. A bare inspection of the map, with the slightest knowledge of the mountain ridges and passes, must convince any one that this country belongs to South California. Its ports are San Diego and San Pedro. That all the country back of the Sierra Nevada up to the Salt Lake, must for commercial purposes find its outlet at San Diego and San Pedro, and not at San Francisco, is established now, I believe, beyond controversy. We find the plain extending from the Great Salt Lake, running down by a route over which there is said to be a good wagon-road to San Diego. Then, sir, what are to be the institutions, if left to natural causes, in the one country and the other? Will they be uniform or diversified? If the latter, why seek to enforce on them one system of municipal laws? It is plain, that of their commerce a part will go to the South, and a part to the North. If, then, connected with these considerations, have been able to show to the Senate, however briefly, that the population, climate,

quires no argument to show may be most effectively extended under a territorial government.

For causes before stated, the climate is such that no white man can work in the sun. This country now, inhabited by an offensive, to some extent agricultural people, is unsuited to the white race, unless it possess servile labor. But if we confine our attention to the coast, where the refreshing sea-breeze mitigates the climate, then throughout the same extent you find, down to San Luis Obispo, the mountains running close upon the sea; its streams short, and the valley narrow. Here, then, are scattered, some fifteen or twenty miles apart, a few pastoral ranches, with the agriculture necessary to supply the inhabitants with Indian corn and beans, which seem to be all that country produces.

To the South, the coast-plain widens, the mountains are depressed, gaps are found, connecting the plains above with those which slope down to the sea, until the ridge ceases, and the broad plain of Los Angeles opens to the view. Here, where the keen blasts of the North are checked by sheltering mountains, and the sloping plains face the sun, we pass at once into a tropical climate. This is the land of the grape, of cotton, of maize, of the olive, and the sugar-cane. Here, so far as cultivation exists, that cultivation depends upon irrigation and upon servile labor. It is a curious fact that we find here a race of Indians who pass at once into servility; who, from their complexions and characteristics rather seem of Asiatic origin than to be descended from the same parent stock as the wild and free tribes who were found in the country of the United States. The country to the southeast of these mountains has been but little explored; it is in the possession of a more settled and more civilized race of men; and it is because they have been so warlike and so populous, that so little has been heretofore known of the country. Shall we, then, abandon these men, peaceful and prone to servility, or warlike and with fixed habitation, to the laws of California and the aggressions of reckless men? Or shall we extend that protection of the Federal Government over which a territorial organization will best enable us to give? In times past, the United States have suffered bitter reproaches for their policy towards the natives they found on this continent—reproaches not always just, indeed quite undeserved, as was beautifully demonstrated by the Senator from Michigan (Mr. Cass) many years ago, if we compare our conduct with that of other nations, who have exercised control over the aboriginal tribes of this continent.

The strong, far-reaching arm, may govern to protect these tribes. In the new and even unsettled condition of California, it is to be feared the reverse would be the case, if the country were to be limited, that aggression would be followed by hostility, to end in their destruction. But, sir, there is another race with yet higher claim upon us, in the vicinity of the coast. We find that very position, which was by the treaty to have their rights of property in their mind to make that country their home. This could not be the case with those who a few months before had gone there merely to collect gold and return to the United States. There is another test: How many had taken their families with them?—that best guaranty of an intent to become permanent residents.

Mr. President, it comes, then, to this point: whether sojourning persons, traveling with no permanent interest or locality in the country—soldiers, sailors, or government employees, who chance to be present—are qualified to lay the foundations of a State, and decide on the institutions which shall prevail among generations yet unborn?

But, sir, there is something further to be offered to those on whom these considerations make no impression. Taking the population according to all the ordinary estimates, it was only about one-fifth of the population of California which took part in this proceeding, either to elect delegates or to ratify the constitution they formed. What then? Four-fifths of the Americans in the country, and Mexicans, to whom we are bound to extend special protection, had no connexion whatever with this convention. Are we still to be told that its proceedings embody the impression of the will of the people of California? These, Mr. President, are the facts which come to light upon an analyses of this remarkable proceeding, and these facts are such as not only apply to sustain in my opinion the amendment of the Senator from Louisiana, (Mr. SOULE,) but which would entirely justify us in treating this constitution as a nullity, and proceeding to the formation of a territorial government for the people who inhabit our western territory.

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and soil, united with those routes capable of being travelled, all go to sustain this line of 36 deg. 30 min., as the natural line of division, I ask whether in adopting it we should not be consulting higher considerations than any of mere temporary political expediency. I ask whether reasons of pre-eminent and general importance do not demand that we should sustain the amendment of the senator from Louisiana? But, Mr. President, there is still another claim for this amendment. Anterior to the formation of this State constitution by California, Deseret, formed a State or territorial constitution, and established her boundary. Deseret, which lies east of California, has no outlet to the sea except through the southern part of California. They find their outlet to the ports that I have mentioned. They have no practicable commercial connexion whatever with San Francisco. This was most forcibly shown while Colonel Mason, the military governor of that territory, wished to obtain troops from the settlement at the Salt Lake. An officer was detached for the purpose; but, instead of being able to go direct, he had to keep down on the west side of the Sierra Nevada, which stood a snow-covered wall for a distance of more than three hundred miles before he found any opening through which he could pass; after which he had to travel north of the parallel from which he started. It is, I think, therefore, that this country of South California should stand alone—that it have a district organization; but if that is not done, then the most proper and natural thing remaining to be done, is to attach it to Deseret, which has claimed a part of it, and to which it belongs by nature more properly than to North California.

But the distinguished senator from Massachusetts (Mr. WEBSTER), remarked yesterday that we are reduced to an alternative—that we have to admit California as a State or that she will be separated from the Union. Mr. President, these words come also from the shores of the Pacific; and what foundation is there, can there be, for them. The people of California knock at your doors for admission into the Union; at the same time we are told that they are suffering for protection and assistance. They have now a State government, and there is no interference to prevent the exercise of all its functions. Indeed, some portions of the army and navy of the United States are kept there for their benefit. They claim, then, in order to enable them to carry on their State government, the aid of the Federal government. With what force, then, do they talk, or others for them, of their seceding from the United States, and setting up a government of their own? Why, sir, it is idle. They need the protection of this government, and I wish them to have it, not the less because they have attempted self-government before they were competent to sustain themselves. With this is connected another inquiry. Were they prompted to form a State government, or was it by their own opinion? It appears to have been because they were invited to it by one who had no right to the exercise of the civil functions which he assumed, or with which he was improperly invested. They were urged to it by the officers of the army in California. The proclamation under which the convention was convened, makes a strange declaration. It asserts that the laws of Mexico made the military commandant ex-officio civil governor.

"The undersigned, in accordance with instructions from the Secretary of War, has assumed the administration of civil affairs in California, not as military governor, but as the Executive of the existing civil government. In the absence of a properly appointed civil governor, the commanding officer of the department is, by the laws of California ex-officio civil governor of the country; and the instructions from Washington were based on the provisions of these laws. This subject has been misrepresented, or at least misconceived, and currency given to the impression that the government of the country is still military. Such is not the fact. The military government ended with the war; and what remains is the civil government recognised in the existing laws of California."

Now, that rests on the doctrine which has been put forward here, that the Mexican laws are in force in the territories. But, so far as I can learn, there was no such law as that proclamation appeals to. In this same volume is contained a digest of these laws; and I will read one section which belongs to this case, and I believe decides it:

"In temporary default of the governor, another shall be named *ad interim*, in the same manner as the proper one. If the default should be of short duration, the senior (masorquero) judge of the departmental legislature shall take charge of the government, as he is the officer of the department during the interval which may take place between the default of the government proper, and the appointment of his successor *ad interim*."

Then, sir, it was the oldest member of their legislature who became Governor *ex officio*, when the office was vacant. It was the oldest member of the departmental legislature who should have succeeded. If, indeed, the civil government which pre-existed the acquisition of that territory by the United States continued, why should not the Mexican governor have resumed his duties with the restoration of peace? With their laws in force, and their officers restored to their functions, American emigrants would have realized the full force of this doctrine.

But here, sir, is proof of the fallacy of the whole foundation of his argument for the supremacy of Mexican laws. No one then relied upon it—no one has yet been willing to follow his argument to the conclusion to which it leads. Else, why was not the legislature of the department of California called together? The thing has received life from political incubation here.

But the Senator from Massachusetts assumes another position which I wish to notice. He stated, in exact opposition to all those geographical facts which I have presented, that if we had the power to arrange

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